

ORDINANCE NO. 5305

AN ORDINANCE WITHDRAWING TERRITORY FROM THE TANGENT RURAL FIRE PROTECTION DISTRICT LOCATED ON THE EAST OF PACIFIC BOULEVARD SW AND MORE COMMONLY KNOWN AS 34435 HIGHWAY 99 (TAX LOT 800, LINN COUNTY ASSESSOR'S MAP NO. 11-3W-30) AND CONTAINING APPROXIMATELY 1.00 ACRE. (FILE NO. AN-07-96)

WHEREAS, on October 9, 1996, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3697 and described in Exhibit A, attached hereto; and

WHEREAS, notices of a public hearing were published and posted in the manner and for the time prescribed by law and on August 13, 1997, the Albany City Council did hold a public hearing during which time interested persons were given an opportunity to be heard on this matter; and

WHEREAS, the City Council following said public hearing determined that the withdrawal of territory from the District is in the best interests of the citizens of Albany.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The following described territory as Described in Exhibit A is hereby proclaimed to be withdrawn from the Tangent Rural Fire Protection District.

Section 2: The City Recorder shall, within 10 days of the effective date of this ordinance, file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, the State of Oregon Department of Revenue, and the Tangent Rural Fire Protection District.

Passed by the Council: August 13, 1997

Approved by the Council President: August 13, 1997

Effective Date: September 12, 1997

Wayne M. Iusk
Council President

ATTEST:

[Signature]
City Recorder

**EXHIBIT A
LEGAL DESCRIPTION
CASE FILE NO. AN-07-96**

Beginning at a 1 inch iron rod on the East right of way of the Pacific Highway which is South 0°31 1/2' West along the West line of Section 30, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon, a distance of 1427.77 feet and South 89°37' East 38.49 feet from the quarter Section corner of the West line of said Section 30; thence South 89°37' East parallel with the South line of said Section, a distance of 319.48 feet to a 1 inch iron rod on the West right of way line of the Southern Pacific Railroad; thence South 0°06' West along said railroad right of way, 136.13 feet to a 1 inch iron rod; thence North 89°37' West parallel with the South line of said Section, a distance of 320.51 feet to a 1 inch iron rod on the East lines of said Highway; thence North 0°32' East 136.13 feet to the place of beginning.

